

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)		Application Number	10/621,633
		Filing Date	July 17, 2003
		First Named Inventor	Marc Long
		Art Unit	N/A
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	11	Attorney Docket Number	HO-P02125US1

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Non-US application or U.S. patent IDS References cited (45) Postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

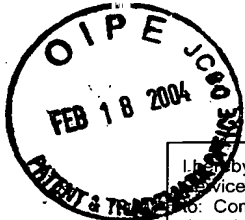
Firm or Individual name	FULBRIGHT & JAWORSKI L.L.P. Melissa L. Sistrunk
Signature	
Date	February 17, 2004

**Transmittal**

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. ER 147057867US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

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Dated: February 17, 2004

Signature:

*Monica L. Thomas*  
(Monica L. Thomas)

Docket No.: HO-P02125US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Marc Long et al.

Application No.: 10/621,633

Filed: July 17, 2003

Art Unit: N/A

For: BONE GRAFT SUBSTITUTES

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date but before the mailing date of the first Office Action on the merits, so far as is known to the undersigned.

I hereby certify that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

A copy of each reference that is not a U.S. application or U.S. patent on the PTO/SB/08 is attached.

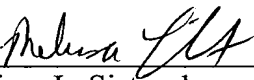
In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

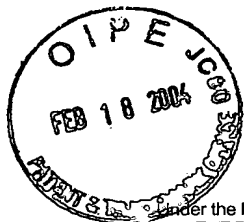
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2375, under Order No. HO-P02125US1. A duplicate copy of this paper is enclosed.

Dated: February 17, 2004

Respectfully submitted,

By   
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PTO/SB/08A (10-01)

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Substitute for form 1449A/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				Application Number	10/621,633
				Filing Date	July 17, 2003
				First Named Inventor	Marc Long
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	7	Attorney Docket Number	HO-P02125US1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant Of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	5,385,887	01-31-1995	Kalvin W.K. Yim et al.	
	AB	5,433,777	07-18-1995	Michael Q. Sheppard	
	AC	5,366,507	11-22-1994	J.S.—Sottosanti	
	AD	5,569,308	10-29-1996	J.S. Sottosanti	
	AE	5,614,206	03-25-1997	Randolph et al.	
	AF	5,626,861	05-1997	Laurencin, et al.	
	A	5,807,567	09-15-1998	Randolph et al.	
	A	5,919,493	07-06-1999	Michael Q. Sheppard et al.	
		5,981,828	11-1999	Nelson, et al.	
	A	6,030,636	02-29-2000	Randolph et al.	
	A	6,180,606 B1	01-30-2001	Charles C. Chen et al.	
	A	6,183,515 B1	02-06-2001	Joel W. Barlow et al.	
		6,187,046	02-2001	Yamamoto, et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	WO 96/39203 ✓	12-12-1996	Steven R. Jeffries		
	BB	WO 96/40432 ✓	12-19-1996	Michael Q. Sheppard		
	BC	WO 00/30568 /	06-02-2000	Joseph Yaccarino		
	BD	WO SHO58-46775	09-28-1984	Kondo Kazuo, et al.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

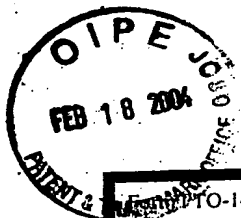
<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See attached Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Bone Grafts & Bone Substitutes, Orthopedic Network, Oct. 2000, pp. 8-10, vol. 11, no. 4, Mendenhall Associates, Inc.	
	CB	Bone Grafts & Orthobiologicals, Orthopedic Industry, 09/15/00, pp. 66-81, Merrill Lynch	
	CC	iii. Bone Substitute Materials, Executive Summary #RP-591149, 2000, pp. ES-15-ES25 & 3-1-3-45; Medical Data Int'l, Inc.	

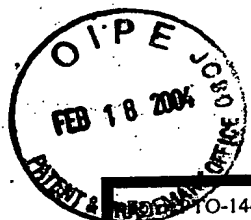
\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

25378718.1 Examiner		Date Considered	
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<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>										Docket No. (Optional) P01952US0		Application Number 09/517,981					
										Applicant: Julie A. Bearcroft et al.				Group Art Unit			
										Filing Date: March 3, 2000							
<b>U.S. PATENT DOCUMENTS</b>																	
EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE					
	4	1	2	6	5	9	9	11/21/78	Sugahara et al.	260	42.13						
	4	1	7	3	6	1	0	11/06/79	Huller et al.	264	28						
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	4	3	5	6	5	7	2	11/02/82	Guillemin et al.	3	1.9						
	4	5	4	0	4	3	9	09/10/85	Kurandt	106	109						
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<b>FOREIGN PATENT DOCUMENT(S)</b>																	
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	WO	9	0	1	1	0	66	10/04/90	PCT								
	DE	37	32	28	1	C	2	10/18/90	Germany			X					
	EP	0	3	95	18	7	B1	10/31/90	EPO								
	WO	9	4	0	8	9	12	4/28/94	PCT								
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>																	
	A.	Li et al.; COMMUNICATION High-strength dental gypsum prepared by cold isostatic pressing; Biomaterials, Vol. 14 No. 15, 1186-1187 (1993)															
	B.	Wright Medical Technology, Inc.; 510(k) Summary of Safety and Efficacy ( 6/6/96).															
	C.	J. Barralet; High Density Gypsum Bone Substitute; Abstract from Smith +Nephew.															
	D.	Biocompatibility of Clinic Implant Materials, Vol. 1; CRC Press, Ed. D. F. Williams; de Groot, K., Chapter 7 Degradable Ceramics, Table of Contents, p. 199 (1931).															
	E.	DIALOG Search Ref. NO.: 97/B023/SC; Wright Medical Technology, Inc.; Bone Graft Substitute Analysis.															
	F.	Autologous Growth Factors™ (AGF™); www.interpore.com/agf.html.															
	G.	Calhoun, N. R., et al.; Plaster: A Bone Substitute in the Mandible of Dogs; J. Dent. Res. 44, 940-946 (1965).															
	H.	Calhoun, Noah R. and Blackledge, G. T.; Plaster of Paris Implants in the Mandible of Dogs; Quart. Nat. D.A. 21, 13-15 (1962)															
EXAMINER									DATE CONSIDERED								
<b>EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.																	



<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket No. (Optional) P01952US0	Application Number 09/517,981
	Applicant: Julie A. Bearcroft et al.	
	Filing Date: March 3, 2000	Group Art Unit

**U.S. PATENT DOCUMENTS**

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	5	4	3	3	7	5	1	07/18/95	Christel et al.	623	16	
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	5	6	1	8	5	4	9	04/08/97	Patat et al.	424	422	
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**FOREIGN PATENT DOCUMENT(S)**

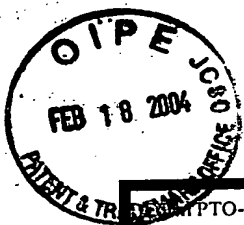
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**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

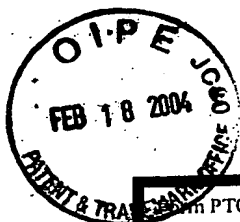
I.	Mitchell, David F. and Shankwalker, Govind B.; Osteogenic Potential of Calcium Hydroxide and Other Materials in Soft Tissue and Bone Wounds; J. Dent. Res.; 37, 1157-63 (1958).
J.	Frame, J. W.; Porous calcium sulphate dihydrate as a biodegradable implant in bone; J. of Dent. 3, 177-187 (1975).
K.	Alderman, Norman E.; Sterile Plaster of Paris as an Implant in the Infrabony Environment: A Preliminary Study; J. Periodontal. 40, 11-13 (1969).
L.	Peltier, Leonard F.; The Use of Plaster of Paris to Fill Defects in Bone; Clin. Orthop. 21, 1-31 (1961).
M.	Biomaterials in Otology; Proc. of the First Intl. Symp. 'Biomaterials in Otology' 4/21-23/83; Martinus Nijhoff Publ (1984) Ed. J. J. Grote; Högset, O. et al.; An Electrocochleographic Study of the Effect of Plaster of Paris Implanted in the Middle Ear of a Guinea Pig; 105-116.
N.	Shaffer, David and App, George R.; The Use of Plaster of Paris in Treating Infrabony Periodontal Defects in Humans; J. Periodontal. 42, 685-690 (1971).
O.	Peltier, Leonard F.; The Use of Plaster of Paris to Fill Large Defects in Bone; Am. J. of Surg. 9, 311-315 (1959).
P.	Peltier, L. F. et al.; The Use of Plaster of Paris to Fill Defects in Bone; Ann. of Surg. 146, 61-69 (1957).
Q.	Beeson, William H.; Plaster of Paris as an Alloplastic Implant in the Frontal Sinus; Arch Otolaryngol, 107, 664-669 (1981).
R.	Coetzee, Andries S.; Regeneration of Bone in the Presence of Calcium Sulfate; Arch Otolaryngol, 106, 405-409 (1980).

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

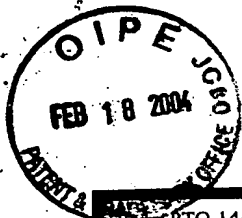


<b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>										Docket No. (Optional) P01952US0			Application Number 09/517,981								
										Applicant: Julie A. Bearcroft et al.						Filing Date: March 3, 2000			Group Art Unit		
<b>U.S. PATENT DOCUMENTS</b>																					
EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE									
	3	9	7	9	7	7	9	09/14/76	Zeibig et al.	3	1.91										
	5	3	3	6	2	6	3	08/09/94	Ersek et al.	623	11										
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	4	6	1	2	0	5	3	09/16/86	Brown et al.	706	35										
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<b>FOREIGN PATENT DOCUMENT(S)</b>																					
	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION									
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<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>																					
	S.	Radentz, William H.; The Implantation of Plaster of Paris in the Alveolar Process of the Dog; J. Perodont. 36, 357-364 (1965).																			
	T.	Bahn, Saul L.; Plaster: A bone substitute; O.S., O.M. & O.P. 21, 672-681 (1966).																			
EXAMINER										DATE CONSIDERED											
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EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE			
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	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION			
	2	6	3	7	5	0	2	12.10.88	FR /	27	00	YES	NO		
	4	1	3	0	5	4	6	13.09.91	DE	2	28	X			
	8	6	0	1	7	2	6	27.03.86	WO	27	00	Abstr.			
	8	7	0	3	4	9	1	18.06.87	WO	27	00	Abstr.			
	8	9	0	6	9	4	4	10.08.89	WO	2	02	Abstr.			
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>															
EXAMINER										DATE CONSIDERED					
<b>EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.															





Form PTO-1449

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket No. (Optional)  
P01952US0Application Number  
09/517,981Applicant:  
Julie A. Bearcroft et al.Filing Date:  
March 3, 2000

Group Art Unit

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5	5	7	1	1	8	2	11/05/96	Ersek et al.	623	11	
	4	9	1	7	7	0	2	04/17/90	Scheicher et al.	623	16	
	5	1	2	5	9	7	1	06/30/92	Nonami et al.	106	35	
	5	1	5	8	9	3	4	10/27/92	Ammann et al.	514	12	
	5	0	9	6	8	5	8	03/17/92	Das Chaklader et al.	501	89	
	5	0	8	2	5	9	7	01/21/92	Tashiro et al.	252	516	
	5	0	9	8	8	7	1	03/24/92	Ray	501	95	
	5	1	0	8	9	6	3	04/28/92	Fu et al.	501	89	
	5	1	0	8	9	6	4	04/28/92	Corbett et al.	501	89	
	5	1	2	0	6	8	1	06/09/92	Cameron	501	89	
	5	1	5	3	0	5	7	10/06/92	Corbett et al.	428	283	
	5	1	3	2	1	7	8	07/21/92	Chyung et al.	428	372	
	4	9	7	3	5	0	3	11/27/90	Hotchkiss	428	36.4	
	4	6	0	0	5	4	6	07/15/86	Grunde	264	59	
	5	0	1	6	7	0	2	05/21/91	Ahlers	164	34	
	5	0	4	2	5	6	0	08/27/91	Ahlers	164	34	
	4	6	7	8	4	7	0	07/07/87	Nashef et al.	623	16	

## FOREIGN PATENT DOCUMENT(S)

	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	NO
	2	2	9	0	6	6	4	30.11.90	JP	19	00	X	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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DATE CONSIDERED

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Application No. (if known): 10/621,633

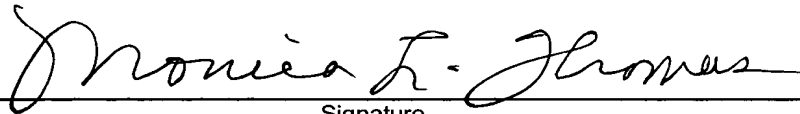
Attorney Docket No.: HO-P02125US1

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